IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:07-HC-2050-D

UNITED STATES OF AMERICA,)	
Petitioner,)	
v.)	ORDER
CHRISTOPHER A. MOORE,)	
Respondent.)	

On February 1, 2011, the court directed the government [D.E. 32] to show cause why the present commitment action against Christopher A. Moore ("Moore" or "respondent") under 18 U.S.C. § 4248 ("section 4248") should not be dismissed without prejudice in light of Moore's conviction and sentence in <u>United States v. Moore</u>, No. 5:10-CR-70-D (E.D.N.C. Dec. 7, 2010). On February 2, 2011, the government filed a response, indicating the United States does not oppose a dismissal without prejudice [D.E. 34]. Thus, the present commitment action is hereby DISMISSED WITHOUT PREJUDICE. Respondent's motion to dismiss and release [D.E. 29] is DENIED AS MOOT. The clerk is DIRECTED to close the case.

SO ORDERED. This 4 day of February 2011.

JAMES C. DEVER III United States District Judge